

**Minutes of the Work Session of the Milford City Council held on Thursday, January 29, 2015 at 8:00 a.m. at the City Offices located at 26 South 100 West, Milford, Utah.**

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**Present:** Mayor Nolan Davis, Council Members Aaron Cox, Karrie Davis, Wayne Hardy, Troy Netto, and Russell Smith. City Administrator Makayla Bealer, City Recorder Monica Seifers, City Foreman Ben Stewart, and Attorney Leo Kanell were also present.

**WORK SESSION**

Mayor Davis called the meeting to order at 8:01 a.m.

**Discuss/review Golf Course Manager Position**

There were no changes the Council needed to make to the job description. Council Member Smith did suggest that the crew needs to be more involved in the maintenance of the sprinkling system. He knows from his involvement that the sprinklers take a lot of time. Mayor Davis suggested having the inmate work crew come in the spring and help go through the system to make sure it is done. Council Member Netto felt that the Golf Course Manager should take responsibility for the system but if they need physical help with the maintenance they need to put the request in for it. Foreman Stewart will turn the system on and check the sprinklers, marking any that need to be worked on. The position will be posted, same as last year, minimum age of 16 years. Deadline will be set for February 13<sup>th</sup>. Council Member Smith inquired about having a team take care of the course, having a spouse or someone to help mow has been discussed. Administrator Bealer to look into insurance coverage.

**Discuss/Review City Building Options**

Attorney Kanell feels that the City of Milford is going to end up being responsible for the building. Council will need to identify how to address it. The building was deeded to us with stipulations for its use. Attorney Kanell explained that the church would deed it completely over to the city at this point. Mayor Davis suggested letting the church know that the City will demolish the building and see if they will assist; they have much better resources than the city or county for abatement and demolition. There have been comments about people wanting the rock work. If the Council wants to address it that way, Attorney Kanell could address a letter in that manner. Mayor Davis met with Five County and Gary Zabriskie and found out that we can get funding for remodeling, where there is a health concern. Mr. Zabriskie felt the city could get a 70/30 loan through CIB. Beaver County doesn't take much from the fund and he didn't think there would be any concern. Bill Western and Nate Robinson have met with Mayor Davis and feel a building could be built to fit the city's needs. Mayor Davis, Council Member Aaron Cox and Administrator Makayla Bealer met with Better City and Scott Albrecht, but that project would be 4 years out and would require private investors. Mayor Davis stated that we can't wait 3-4 years, assuming that it even could go through. We are still obligated with the current building. Council Member Davis stated that regardless of what the Council decides, she felt the employees needed to be moved to a building that is not detrimental to health; they are going to have to move if the building is restored anyway. Attorney Kanell inquired about the clinic portion of the old hospital. Mayor Davis is concerned with moving into the clinic and then Mr. Cox (owner) getting his funding cleared and he decides to get going we are back to looking for space. Attorney Kanell asked how far out the city would be for funding. The earliest would be possibly November of 2015. Mayor Davis does not feel there is a building large enough to accommodate both the city and county. He would like to keep Mrs. Netto (Court and DMV) with the city, but the sheriff's department may have to work out of Beaver. Mayor Davis tried to find options on modular units, but haven't found anything remotely local. Council Member Netto asked if there was any space at the new hospital. Mayor Davis stated there was not room for offices but we could have our public meetings at the EMS building for two years if we needed. They do have an IT room that they would allow Chief Whitney to use on a short term basis. Council Member Davis would like to see a few options to make sure we find the best fit.

Attorney Kanell will contact Mr. Cox to inquire about a minimum 2 year commitment for leasing the old clinic. Council Member Davis asked about the current renters of the city building. They will need to look into relocating to the schools or other options. Council discussed obtaining bids for the demolition and design build options. Mayor Davis stated that the main street renovation was something that he wanted to pursue regardless of what happens with the city/county building. It is something that needs to be looked into. Council Member Cox asked how many bids would need to be gathered up. Administrator Bealer - city policy says three but if you can only obtain two it is acceptable. Mayor Davis cited that design/build would be city's best option. The city would have to get an idea of what we want and the contractor will come up with a plan. Council Member Cox asked what would have to be done to bring it up to code, if anything. Mayor Davis - that's what we would have to find out, there would be a lot that would be considered, including fire sprinklers and seismograph. Council Member Cox would like to get three bids for remodeling and three bids for tearing it down so we have an idea. Mayor Davis - we would have to have a concept drawing to do that, or it's impossible for them to bid out. Council Member Cox - we have to spend money to decide what we want to do to the building. An asbestos study would be required before doing any demo or rebuild of the current building. Council Member Smith asked if city was going to pursue a new building, discussed keeping the current building if a new building was built. If we were to build a new building, who is to say we couldn't just close it down and maintain the grounds on it until we figure it out. Mayor Davis stated that would give the Council time to consider their options. Council Member Smith stated his concerns with continuing to put money into the current building. Mayor Davis stated remodels almost always end up costing twice as much due to unforeseen problems. Council Member Cox would like to lay out all of the costs of remodeling and tearing it down versus doing a new building. Mayor Davis - we have got to figure out a design for a remodel so we can get the costs figured. Attorney Kanell - if we were to tear the building down, could you rebuild on this property. Mayor Davis - we could actually build new where the parking lot is and have plenty of room for city and county office needs. Bill Western looked at it. Mayor Davis stated building new is not a problem, the issue is with the old building, whether it is remodeled or demolished. A contractor told Bill Western that the building could be demolished for \$40,000, but that is not including the asbestos abatement and Mayor Davis didn't know if it included dump fees. Mayor Davis didn't feel that tearing it down would be a problem with the city crew and equipment that could be used through EC Source. Mayor Davis will contact Gary Zabriskie and discuss options for funding. Attorney Kanell asked if there was any chance of the Post Office renting from the city if we went with a new building. Mayor Davis - that is an option we can look at. Attorney Kanell to contact Mr. Cox regarding the old clinic. Mayor Davis and Administrator Bealer will follow up with Jesse (Ralphs) on cost estimates for the different options. Attorney Kanell will draft a letter to the LDS Church stating that the bats have always been in the building, prior to the city taking it over, and address the settling of the building that is allowing the bats back in.

#### **Sale of Lewis Addition Lots to Beaver Housing Authority**

Max Anderson with Beaver Housing Authority is interested in purchasing two of the city's lots in Lewis Addition. They have housing in the subdivision and would like to build more. They purchased lots in Sunnyside Subdivision for \$9,000 to \$10,000 each and would like to pay that same amount as they feel Sunnyside is a nicer subdivision and has better improvements. Council Member Cox was concerned that the lots were a lot bigger than the ones in Sunnyside and they are both corner lots. If we sell them corner lots too low, the city will never make their money back, especially on the other lots. Mayor Davis stated that the city will never get their money back. If we can sell the lots it gets it off the books. Attorney Kanell asked if BHA paid taxes on their properties. He also inquired if there would be a fee to the realtor for listing the



lots. Administrator Bealer said yes and explained that she has called the realtor, who reported that she receives multiple calls each week but nobody has made an offer, but most people don't start making offers until spring time. They are listed for \$19,900. Council Member Cox – if the city sells these corner lots for that much, we will never sell the in between lots for anywhere near that. Attorney Kanell – maybe you should wait until spring and see if any offers come in. Council Member Hardy does not want to wait too long and run him out of town. We could sit on them for a long time. Recorder Seifers stated that if BHA purchases them, you know they will build something whereas if someone private buys them, they could remain vacant for a while. Council Member Cox stated that the residents in the area are not going to want fourplexes in that subdivision. Administrator Bealer explained that it was permitted in the zone. Council Member Cox understood that, but we own the lots as a city and he would rather see the types of homes that were built before. Administrator Bealer asked if he wanted to go back to Mr. Anderson and say we want \$19,900. Council Member Cox feels that is still a horrible price, especially for a corner lot, whoever tries to buy a lot in between is going to try to lowball the city. Council Member Netto stated he heard what Council Member Cox was saying, but we aren't getting anything just sitting on them. Council Member Cox – put a price of at least \$12,000 on the corner lots and the inside lots at \$10,000. Council Member Cox also suggested talking to the residents about putting fourplexes there. Administrator Bealer stated that the citizens have no say on it, they built in that zone, it is a permitted use in that zone regardless of who buys the lots. Council Member Davis asked how big the lots were, stating the lots by the church just went for \$20,000. She understood the ones in Sunnyside went for less but they were also smaller lots. Council Member Netto does not have a problem selling them, but does not know if the price is right or if it needs to be negotiated. Mayor Davis stated that Mr. Anderson was going to purchase property to build a fourplex and a triplex, that is part of his funding. Council Member Cox feels there is a better place to do it. I know we own the lots and we wanna move them. Council Member Netto – realize that wherever a fourplex goes, it is going to go in a zone that allows them, there is nothing ownership around there can do other than say they disagree with it because it is zoned for that. If people don't want to live in those zones then they shouldn't buy homes in those zones. Council Member Cox asked if BHA have looked into doing more housing like the homes they built. Council Member Davis – Max talked in the meeting like he was interested in putting in multiple units. Administrator Bealer added that he has grant money that has to be used for multiple unit housing. Mayor Davis stated that the design fit into the area. Council Member Hardy did go along with Council Member Cox on the pricing of the corner lots but doesn't know what price to set them at, we aren't going to get our money back, that's for sure. Council Member Cox agreed with Attorney Kanell's suggestion to wait until spring if there is that much interest in them. Council Member Smith is concerned with sitting on them and Max going somewhere else. Council Member Hardy – if we don't come up with something, we are going to lose out on that. Council Member Cox stated he did not like the price and he did want a fourplex there, that's where he stands. Council Member Smith said he didn't think we had a choice, it was zoned that way. Council Member Cox would like to see families move in there to stay, not people come to a fourplex for a month and then be gone. Council Member Smith – Max is trying to get housing available for the people that are currently renting in Beaver or Cedar and driving in. If they can locate here they may end up buying or building here. Council Member Cox asked how their taxes work on something like that. Administrator Bealer – they would pay taxes just like everyone else but she would have to call the county to find out. Mayor Davis asked what direction the Council wanted to go. Council Member Cox wanted to wait until the spring. Council Member Smith did not want to wait, he didn't want to lose out on selling to Beaver Housing Authority if Max was ready to move forward. **MOTION:** Council Member Wayne Hardy moved to authorize the Mayor to negotiate the best deal with Max Anderson. Motion was seconded by Council Member Troy

*Netto. Motion passed with Council Members Hardy, Smith, Davis, and Netto voting for; Council Member Cox voting against.*

Administrator Bealer stepped out to contact the county. She reported that Beaver Housing Authority did pay taxes on their properties; the current fourplex was valued at \$73,000 and they paid \$546.88 in property taxes.

#### **Presentation of Bids for Surplus Equipment**

Recorder Seifers reported there were two computers at the library that were being bid on. She presented the sealed bids to Mayor Davis to be opened and read. Fixed Asset 0196 received a bid of \$52.00 by Carol Cox. Fixed Asset 0162 received a bid of \$25.00 by Tristan Jensen.

**MOTION:** *Council Member Troy Netto moved to accept the bids for surplus property as received. Motion was seconded by Council Member Wayne Hardy. Motion passed, all in favor.*

#### **Open and Public Meeting Training**

Mayor Davis encouraged the Council to review the Open and Public Meeting Training Info that was prepared by Recorder Seifers. He highlighted that training would take place annually and meetings could only be closed to discuss the character of an employee, bargaining, for litigation, property transaction, the deployment of security personnel, devices or systems, investigative proceedings regarding allegations of criminal misconduct. If we choose to have electronic meetings, we will need to set a resolution in place. Recorder Seifers added that there were changes to the open meeting act that were put into place as of January 1. All notices, agendas, minutes (Written and Audio) were posted to the Utah Public Notice Website. Anything that is passed out during an open meeting will be scanned and posted. The written minutes, once approved, will be posted to the website; but the audio recording has to be posted within 3 days of the meeting. She advised that if there was something the members did not want in the minutes, don't say it. Attorney Kanell added that if the city was interested in electronic meetings, he could assist with setting up the procedures.

#### **2015 Milford City Appointments**

Lisa Thompson was added as the representative for LEPC and CHERC. Mayor Davis suggested adding the building official. **MOTION:** *Council Member Troy Netto moved to approve the appointments with the addition of Kyle Blackner. Motion was seconded by Karrie Davis. Motion passed. All were in favor.*

#### **Council Comments**

- Council Member Netto discussed the Sheriff's contract and city tax rate; proposing decreasing the tax rate for Milford City. Attorney Kanell discussed the city tax rates and the county general rate. The county is thinking about setting up a separate tax rate strictly for law enforcement. If we could get it worked out between the county and the cities and present it to the residents. Mayor Davis did not feel that it was right that the cities should have to bail out the Sheriff's budget. We all have budgets and need to work within them. Attorney Kanell has a copy of the budget for 2014 and due to the excess payments Milford City budgeted for the sheriff's contract, his budget actually came in looking good. 2013's was probably not as good, but there was not as much budgeted by Milford City. Council Member Netto would like to get more figures prepared for the next council meeting in preparation for meeting with the Sheriff and Commissioners in March. Council Member Netto asked Attorney Kanell if his figures looked right. Attorney Kanell said we have a \$130,000 bill to the Sheriff's contract and we collect \$124,000 in property taxes. We could eliminate our property tax and it would almost be a straight thing. Just reducing our property taxes he thinks is just the good faith we want to show the residents. He would like to see Beaver do it, too. Council Member Netto stated he used the figures he got from Brian Stephenson in June 2014 asking if that was the best information. Administrator Bealer stated that was the best information she received as well. She will contact Ginger McMullin and Scott Albrecht regarding the figures to see if they have more accurate info.

- Council Member Hardy reported there are things that need to be done out at the airport that he may need some assistance by the crew members. Michael Mayer has reported a few concerns with the airport. Council Member Hardy asked if the concerns were being addressed by Geoff.
- Mayor Davis reported that the school district is putting in a bus garage on the corner of Center Street and 700 West on the old elementary school property.
- Council Member Netto reported that the Lion's Club secured funding for the ball field project. Administrator Bealer stated that C4 donated \$1,000 toward that as well.
- Council Member Cox asked if the county would offer their equipment for road maintenance. Mayor Davis would prefer to have one of their operators rather than have our crew members run it. Council Member Cox to keep working with Beaver County on lining up the equipment.

**MEETING ADJOURNMENT**

As there was no further business the meeting adjourned at 9:28 a.m.

**APPROVED by City Council this 4<sup>th</sup> day of March, 2015.**

  
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**MONICA D. SEIFERS, City Recorder**